

## **Boards, Commissions, and Committees**

### **1. Overview**

This policy governs the appointment and oversight of Town boards, commissions, and committees (referred to herein generically as “boards”) governed by state law, Town charter, or otherwise, to the extent that other law or authority does not otherwise apply. The Town Council is most appreciative of those citizens who volunteer in the service of the Town.

### **2. Organization**

The Town Council seeks to annually review and address appointments for each board by dividing Town boards into three groups.

The following boards comprise “Group A”:

- Arts Committee (5 members; 2-year terms; must be resident) (TC § 1009)
- Cemetery Commission (5 members; 3-year terms) (TC § 1006)
- Conservation Commission (7 members; 3-year terms) (TC § 1003)
- Historical Cemeteries Commission (5 members; 3-year terms) (TC § 1012)
- Open Space and Land Preservation Committee (9 members; 3-year terms) (TC § 1004)
- Recreation Commission (7 members; 3-year terms; may not be Town elected official or employee) (TC § 1005)
- Recycling/Landfill Committee (standing ad hoc)
- Tree Commission (3 members; 4-year terms) (TC § 1013)

The following boards comprise “Group B”:

- Building Code Board of Review ( 5 members; 5-year terms)
- Economic Development Commission (5 members; 4-year terms) (TC § 1014)
- Harbor and Coastal Waters Management Commission (9 members; 2-year terms) (TC § 1008)
- Planning Board (9 members; 3-year terms; must be electors; may not be Town elected official or employee) (TC § 1001)
- Zoning Board of Review (5 members + 2 alternates; 5-year terms; must be electors) (TC § 1002)

The following boards comprise “Group C”:

- Board of Canvassers (3 members; 6-year terms)
- Housing Authority (5 members; 5-year terms) (TC § 906) (see RIGL 45-26)
- Juvenile Hearing Board (5 members; 3-year terms, 2 alternates)
- Library Board of Trustees (7 members; 3-year terms)
- Personnel Board (5 members; 4-year terms) (TC § 1007)

- Police Pension Board
- Tax Assessment Board of Review (3 members; 3-year terms) (TC § 605)
- Any other boards or ad hoc committees not otherwise listed (other than the Budget Committee and the School Committee). The status of and pending ad hoc committees and representative appointments should be summarized by the Town Clerk.

The Budget Committee and School Committee are not grouped, as they are independently elected bodies and meetings with them are required by other authority.

In addition, the Town Council may create advisory boards or other ad hoc working groups as it deems appropriate. Appointments, terms, scope and duration, and other guidelines will be governed by the resolution creating the advisory board or group. The Town Clerk shall maintain a current list of all ad hoc advisory boards/groups, and shall notify the Town Council at least sixty (60) days prior to the ‘sunsetting’ of any such committee or board.

### **3. Liaisons**

For each board where a Town Council member is not already an ex-officio member, the Town Council shall endeavor to designate at least one councilor to serve as a liaison to such board. In addition, the Town Council shall designate at least one councilor to serve as a liaison to the Budget Committee and the School Committee. Liaisons are not required to attend respective board meetings, but are generally expected to remain available to their respective boards for consultation and to facilitate communication between the Town Council and the board as needed. In addition, liaisons are encouraged to maintain an elevated understanding of the duties and responsibilities of, and current issues before, their respective boards. The role of liaison is not meant to interfere with the duties and responsibilities of the Town Administrator.

### **4. General Duties and Responsibilities**

Boards shall have the duties and responsibilities set forth in the Town Charter, Town ordinances, and Town Council policies, as the case may be, all subject to applicable law. Unless other authority applies or otherwise instructed, the Town Administrator shall delineate and document board mission statements, duties and responsibilities, and may task boards with special projects. Reference materials, including descriptions of duties and responsibilities, should be made available with the Town Clerk for public inspection.

### **5. Board Organization**

Boards shall among their membership each annually elect a chair and a vice-chair, and any other officers which it deems necessary, and inform the Town Clerk of any newly elected officers. Each member of a board shall maintain contact information with the office of the Town Clerk, designating whether the contact information is public or private. Private contact information shall not be released to the public, but may be used by Town officials if an urgent matter arises.

Board members not maintaining public contact information may be reached by receiving correspondence at the office of the Town Clerk.

Chairs or designees shall report resignations, requests for removal pursuant to the Town Charter, or other vacancies to the Town Clerk without undue delay, and the Town Administrator shall request the item be placed on the agenda of the next regularly scheduled Town Council meeting.

**6. Board Meetings**

Board chairs, vice-chairs, or their designees will preside over board meetings. Any governance rules adopted by a board should be set forth in writing, reviewed by the Town Solicitor, and available for public inspection.

Board meetings must be compliant with the state Open Meetings Law. Boards must post proper notice of meetings, including notice of cancelled meetings or meetings otherwise not being held after being set on a regular calendar or otherwise noticed. Even when public comment is not required by law, boards are encouraged to allow for public comment at meetings to the extent practicable and consistent with efficiency and decorum.

Any appointee who is absent without just cause for three (3) consecutive meetings may be subject to removal by the Town Council upon recommendation of the board Chair. When any member of a board is absent for (3) consecutive meetings, the chair shall notify the Town Administrator, who shall in turn notify the Town Council for direction. Should the chair recognize any other attendance deficiencies, the Town Administrator shall be notified, who shall in turn notify the Town Council for direction. Pursuant to Town Charter § 1001(b), Planning Board members may only be removed for due cause after a public hearing. No Board member shall be removed for any reason, including unexcused absences, without having been given the opportunity for a pre-removal hearing before the Town Council.

**7. Minutes**

Boards are required to maintain minutes which comply with state Open Meetings Law. While state law provides a mandatory minimum, boards are encouraged to maintain minutes of additional thoroughness. Recording of board meetings through recording media is also encouraged.

**8. Budgets & Inventories**

As applicable, boards are expected to maintain proper oversight, expenditures, and accounting of its budgets. As applicable, boards are expected to maintain a current inventory of all Town property under its care, custody, or control, or otherwise used by the board. To the extent applicable, Boards shall generally follow the customary business/administrative practices of the Town, as directed by the Town Administrator.

**9. Resources**

Boards are generally entitled to request the customary and reasonable support of town administrative resources and town officials, to the extent practicable given competing demands and resource constraints. Requests for legal assistance by the Town Solicitor and requests requiring expenditures not covered by the board's budget, if any, and other requests outside of the ordinary course of board business should be addressed to the Town Administrator.

**10. Reporting**

Boards generally report to the Town Administrator. While coordination between boards is encouraged, boards are expected to keep the Town Administrator informed of outreach efforts to other boards.

In addition, Board chairs are expected to present a summary report, verbal or written, through the Town Administrator to the Town Council at least once annually, or upon request of the Town Council through the Town Administrator. The Town Administrator will establish the form and level of detail of reports, but should generally summarize the events of the prior year, pending initiatives, and goals or expected actions in the coming year. The Town Administrator and Town Clerk shall endeavor to schedule such reports to adhere to the following schedule:

Group	Report Due In
A	January
B	April
C	July

**11. Public Records Request**

Any subpoena shall be immediately forwarded to the Town Solicitor. Any request for documents under the Access to Public Records Act directed to a board shall be immediately forwarded to the Town Administrator or Town Clerk with a copy to the Town Solicitor.

**12. Appointment Process**

**a. Appointment Schedule**

For regular term expirations, boards will be filled according to the following schedule:

Group	Annual Report	Advertising	Appointment	Term Turnover
A	January	February	March	April 15 <sup>th</sup>
B	April	May	June	July 15 <sup>th</sup>
C	July	August	September	October 15 <sup>th</sup>

The intent is that the Town Council and the public have the opportunity to review and consider each board's annual report before the appointment process begins. Furthermore, the fourth calendar quarter is kept free to allow for reconstitutions of the Town Council after November elections and to allow for Town Council license hearings/approvals in the fourth quarter.

Whenever a board vacancy occurs prior to the end of a term, the Town Council may elect to fill the unexpired term.

**b. Reappointments**

The Town Clerk shall keep the master roster of board membership, including term rotations, vacancies, and officer positions. The Town Clerk shall notify board members in advance of their term expirations. Reappointments are not guaranteed. Board members are generally encouraged to limit their service to three (3) consecutive terms on a particular board -when other qualified applicants are available. This limitation may not apply in cases where the Town Council balances the need to staff boards so that various levels of experience are distributed to ensure long-term continuity of board knowledge, to encourage citizen participation in government, and where a member's skills, experience, or background exceed the usual and customary requirements applicable for service on the particular board.

**c. Advertisement by Public Notice**

As authorized by the Town Council, the Town Clerk shall advertise by public notice for the boards that will have upcoming appointments using the schedule set forth above.

At a minimum, public notice shall be posted at Town Hall, on the Town's website, and once in a newspaper of local circulation. Further distribution is encouraged.

The duties and responsibilities for each board shall be available in the office of the Town Clerk.

**d. Sample Public Notice**

PUBLIC NOTICE  
TOWN OF TIVERTON  
PUBLIC SERVICE APPOINTMENTS

The Town Council is seeking applicants from the citizens of Tiverton for consideration of appointment to the following boards on which openings may exist:

\_\_\_\_\_  
[board]

If anyone is interested in serving, an application may be obtained in the Town Clerk's Office, 343 Highland Road, Tiverton, RI during normal business hours. Applications must be completed and submitted to the Town Clerk no later than \_\_\_\_\_.

Further information about the duties and responsibilities of the boards can be obtained in the Town Clerk's Office.

By Order of the Town Council of the Town of Tiverton.  
Town Clerk

**e. Application Requirements**

Applications for the various boards shall be available in the Town Clerk's office, and should identify all of the boards with available positions, organized by group, and invite the applicant to select and prioritize preferences for multiple boards. Applications shall be completed and submitted to the Town Clerk. It is preferred applications be submitted not less than the advertised application deadline. A copy of this policy should also be made available to applicants.

Individuals wishing to be considered for reappointment shall notify the Town Clerk prior to the expiration of the application deadline.

As a general rule, no person shall be appointed to serve concurrently on more than one board if other qualified applicants are available, subject to waiver by the Town Council as it balances the need to staff boards so that various levels of experience are distributed to ensure long-term continuity of board knowledge, to encourage citizen participation in government, and where a member's skills, experience, or background exceed the usual and customary requirements applicable for service on the particular board.

Section 1011 of the Town Charter states:

**Sec. 1011. General qualifications.**

Members of Boards, Committees or Commissions must be electors of the Town of Tiverton. No members of Boards or Commissions as listed in this Charter shall be elected officials or employees of the Town of Tiverton, RI except as provided in Section 1213.

The applicant shall comply with all State Laws and Regulations as well as Ethics Commission requirements for appointees.

**f. Receipt of Applications**

Upon receipt of an application the Town Clerk shall retain the original and distribute a copy of each application received to the Town Administrator and to the Town Council with its agenda packet. For positions which may be held only by Town electors, the Town Clerk shall confirm the applicant is currently a qualified elector. The Town Clerk will also acknowledge in writing (which may include email or postcard) to the applicant receipt of each application.

The application shall remain on file for a period of one (1) year from the date received and may be considered should vacancies for that particular board occur during that time.

All applications received shall be available for public review in the office of the Town Clerk.

**g. Interview & Selection**

The Town Council shall review each application and invite candidates to interview with the Council. Applicants will not be appointed unless they interview in person with the Town Council, except that the Town Council may waive interviews for reappointments where applicants do not exceed available positions or if other special circumstances apply.

Under normal circumstances, the Town Council will not consider nominations or make appointments until the meeting following the meeting that all interviews have been conducted. When making a nomination, the nominating councilor should verbally outline reasons for nomination. The following factors (not exhaustive) should be weighed when considering a nomination:

- Experience, education, skills, and other qualifications related to the board generally;
- Experience, education, skills, and other qualifications to a specific capability area or skill needed by the board;
- Level of interest in general service to the Town;
- Level of interest in the specific subject matter of the board;
- Connection to the Town: While the Town Council may under special circumstances (only where not prohibited by Town Charter) appoint board members from outside of Tiverton, those with residency, property, and/or other connections to Tiverton are preferred;

- Availability of time and energy to devote to board service;
- Need to staff boards with varying levels of experience to ensure long-term continuity of knowledge and allow for new volunteers and fresh perspectives; and
- General term limit rule of 3 consecutive terms per board, though this limitation may not apply if the Town Council determines, in its discretion, that the member's skills, experience, or background exceed the usual and customary requirements applicable for service on the particular board.

The Town is greatly appreciative of all those who volunteer to serve the Town. In the instances where the number of qualified applicants exceed the number of slots available, the applicant should be supplied with a listing of other vacancies to determine if service on another board might be of interest. All applicants and retiring board members are to be thanked for their interest/service.

### **13. Coordination**

Nothing in this policy shall be construed to conflict with other authority applicable generally to all boards. Nor shall this policy be construed so as to conflict with applicable authority relevant specifically to particular boards (e.g., the School Committee). The support of the Town Clerk, also in the role of Clerk of the Town Council, and Town Treasurer in the implementation of this policy is requested.

### **14. Related Authority**

§ 45-5-1

Town Charter §§ 407; 407(1),(6); 503(2),(12),(13); 1202; 1203; 1210(b); 1213

Access to Public Records Act

Open Meetings Law

Code of Ethics

**Adopted by Tiverton Town Council at a regular scheduled meeting  
on January 9, 2012**

**Amended by Town Council on August 24, 2015**